

## IN THE CLAIMS

Please amend claims 1, 3 and 6-8 as follows:

1.(currently amended) A method for transmitting delay sensitive information (DSI) and non-delay sensitive information (NDSI) over a communication link of a communication network, the method comprising the steps of:

transmitting fragmented NDSI in accordance with a network protocol where the fragmenting is based on parameters of received DSI and is performed in accordance with a network layer protocol.

2.(original) The method of claim 1 wherein the step of transmitting NDSI comprises:

calculating a fragmentation requirement for each received initial DSI;  
reviewing the fragmentation requirements of the received DSI after a new DSI requirement was calculated or after transmission of a DSI was terminated to determine a fragmentation requirement that is most restrictive; and  
altering the fragmenting of NDSI to comply with the most restrictive fragmentation requirement.

3.(currently amended) The method of claim 1 further comprising the a step of transmitting DSI in accordance with required timing relationships and transmitting NDSI in a non-fragmented manner when there are no DSI to be transmitted.

4. (original) The method of claim 1 where the network protocol is an OSI-based layer 3 protocol.
- 5.(original) The method of claim 1 where the fragmenting is further based on information rate of the communication link.
- 6.(currently amended) The method of claim 1 where the parameters of the received DS1 comprise ~~such variables~~ including as information compression, sample rate of DS1, number of communication channels included in the DS1, amount of overhead information included in the DS1 and amount of subscriber information in the DS1.
7. (currently amended) An apparatus for transmitting delay sensitive information (DSI) and non-delay sensitive information (NDSI) over a communication link of a communication network where the apparatus fragments the NDSI in accordance with a network layer protocol and based on parameters of received DS1.
8. (currently amended) The apparatus of claim 7 configures as an integrated access device (IAD) coupled to subscriber equipment and to an access network.
9. (previously presented) The apparatus of claim 7 configured as host equipment where such host equipment is coupled to a packet based communication network and to an access network.